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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT

Docket Number (Optional)
 1038-1273 MIS:jb

In re Application of: Robert C. Brunham

Application No.: 10/699,683

Filed: November 4, 2003

For: TWO-STEP IMMUNIZATION PROCEDURE AGAINST CHLAMYDIA INFECTION

The owner, Aventis Pasteur Limited, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,872,814 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

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- has all claims canceled by a reexamination certificate;
- is reissued; or
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 24,973 09/28/2005 MBINAS 00000005 192253 10699683

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Michael I. Stewart

Signature

September 23, 2005
 Date

Michael I. Stewart
 Typed or printed name

(416) 595-1155
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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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